

12-Person Jury

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DOROTHY BROWN
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2019L008770

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

6091155

CRYSTAL M. WORSHIP, for herself and as
next friend of her minor sons, AMIR WORSHIP
AND ERIC WORSHIP;

Plaintiffs,

v.

THE CITY OF COUNTRY CLUB HILLS and
THE VILLAGE OF RICHTON PARK, both
Municipalities Sued Individually and as
Principals/Employers of Police Officers D.
CHAMBLISS (star #36); JANOSKI;
STRAYER (star #28); Sergeant WILSON
(star #12); and OTHER, CURRENTLY
UNKNOWN POLICE OFFICERS,

Defendants.

Case No. 2019L008770

JURY DEMAND

COMPLAINT

INTRODUCTION

1. Plaintiffs, by and through their attorney, The Law Offices of Al Hofeld, Jr., LLC, bring this action against defendants City of Country Club Hills and Village of Richton Park ("the municipalities), both of which are sued individually and as principals of the individual defendant police officers, and state as follows:

2. At approximately 5:00AM on Sunday, May 26, 2019, 12-year-old Amir Worship and 13-year-old Eric Worship were sleeping in their beds when Country Club Hills and Richton Park SWAT officers entered their home with exploding flash-grenades, automatic rifles and other displays of deadly force to execute a search warrant for their mother's boyfriend, Mitchell Thurman. Mr. Thurman was arrested and charged with drug and gun possession

without a valid FOID card. The criminal case against Mr. Thurman was dismissed June 24, 2019.

3. Neither Ms. Worship nor any of her children were targets of the search warrant; nor were they arrested or charged in the raid. Ms. Worship has no felony arrests and has never been convicted of a crime. Her sons have never had any contact with police or the criminal justice system.

4. After breaking into the home, SWAT officers entered Amir's and Eric's bedrooms, roused them from sleep, shouted commands at them, and aimed their assault rifles point-blank at the boys' bodies. Officers' guns were loaded, their fingers were on the triggers, and their guns were not on the safety lock position, even after the boys' rooms were cleared and secured and it was obvious that the children posed no threat. Eric and Amir were afraid they were going to be shot.

5. In fact, 12-year-old Amir was shot, shot while sitting on the edge of the bed with his hands up. An officer shot him with his assault rifle, striking him in the knee and shattering his knee cap. At that moment, this officer was pointing his rifle directly at shirtless Amir as he sat on the edge of his brother's bed. The officer was pointing his gun at Amir *after* the room had already been secured by another officer, *after* he should have moved his gun back to the safe-ready position, after he should have put the safety lock back on, and *long after* it was obvious that a 12-year-old child posed no threat. But in the moments before he fired his gun, the officer had an angry scowl across his face and moved and jerked his body rapidly as he multitasked, all the while continuing to point his gun at Amir.

6. Officers also handcuffed 13-year-old Eric for 50-60 minutes, placed him in a squad car, and took him to the police station where he was detained for approximately five

hours, all despite the facts that he was a 13-year-old child who posed no threat, was not a suspect or a target of the warrant, did not remotely resemble the target, and there was no other lawful reason to confine him in this manner or for this long.

7. Neither Eric nor Amir had at any point refused to follow instructions, resisted arrested, attempted to flee, or posed any threat whatsoever to the officers at any time. They were sleeping, and when they were jarred awake with shouting and guns pointing at them, they were in shock and helplessly at the mercy of officers.

8. On May 26, 2019, while executing a search warrant, police needlessly and recklessly terrorized and injured innocent children. Their manner of executing the search warrant - shooting one child and needlessly handcuffing another – has now seriously and permanently injured the children.

9. Not only will 12-year-old Amir never be able to play sports again, he will walk and run with a limp for the rest of his life. Invisible but no less serious are the psychological scars, the boys' severe emotional trauma and distress, including symptoms of Post-Traumatic Stress Disorder, that are the inevitable result of officers' unnecessarily subjecting them to excessive and deadly force. These scars on their young psyches may never heal.

10. Nor was this an isolated incident: as set forth below, on information and belief it was undertaken pursuant to the municipalities' pattern and practice of exposing young children to unnecessary and excessive police force.

JURISDICTION, VENUE AND PARTIES

11. At the time of all relevant events, plaintiff Amir Worship was a 12-year-old boy residing with his mother four brothers and sister in a two-story house at [REDACTED]

[REDACTED]. On May 26, 2019, Amir was in seventh grade.

12. At the time of all relevant events, plaintiff Eric Worship was a thirteen-year-old boy residing with his mother, brothers and sister in a two-story house at 1 [REDACTED]

[REDACTED]. On May 26, 2019, Eric was in eighth grade.

13. At the time of all relevant events, Crystal Worship was the natural mother of Amir and Eric. At the time of all relevant events, she resided with her sons and daughter in a two-story house at [REDACTED]

14. Ms. Worship has no felony arrests and no convictions of any kind. Her sons have never been arrested or charged with a crime. This incident was the family's first contact with police use-of-force.

15. Defendants City of Country Club Hills and Village of Richton Park ("the defendant municipalities") are municipal corporations located in Cook County, Illinois.

16. At the time of all relevant events, each individual defendant police officer (Chambliss, Janoski, Strayer, and Wilson) was the employee and/or agent of defendant Country Club Hills and/or defendant Village of Richton Park and was at all relevant times acting within the scope of his/her agency and/or employment as a police officer of the municipality that employed him.

17. The SWAT officers who participated in the execution of the search warrant at plaintiffs' home included named defendant officers as well as presently unidentified officers from Country Club Hills and other nearby municipalities, including Richton Park. The

Markham Police Department was notified of the raid in advance; on information and belief, Markham police officers did not participate in the raid.¹

Overview: The Municipalities' M. O. is to Unnecessarily Use Force Against and in the Presence of Children

18. On information and belief, the defendant municipalities and their officers have a pattern and practice or *M. O.* of unnecessarily using force against and in the presence of children, especially children of color, which injures and traumatizes them.

19. Neither municipality has taken steps to date to remedy or address this problem.

20. On information and belief, the municipality defendants' use-of-force and search warrant policies fail to expressly require officers to avoid using unnecessary force against or in the presence of children when possible, fail to require officers to take precautions for children when obtaining and executing search warrants in residences, and fail to require officers to use a trauma-informed approach to policing in the presence of children in situations where the use of force is necessary.

21. On information and belief, unlike other major U.S. metropolitan police departments, the municipality defendants fail to provide any training or supervision to officers prioritizing the importance of preventing injury to children by utilizing a trauma-sensitive approach to the use-of-force in situations where children are present.

22. The connection between trauma and child development and between trauma and mental and physical health in children is now well-established. It is also well-known

¹ Plaintiffs will amend their complaint to join and/or dismiss officers and municipalities as soon as they learn from defendants the identities of other officers and municipalities that participated in the execution of the search warrant on May 26, 2019. All of plaintiffs' pre-suit, Freedom of Information Act requests for this and other information to the City of Country Club Hills were denied.

that many poor children of color have already been subjected to multiple traumas in the neighborhoods and circumstances in which they live and, therefore, police should be mindful that their use of unnecessary force against them or in their presence would compound their trauma.

23. In addition, on information and belief the municipality defendants have a long-standing pattern and practice of failing to investigate, discipline, intervene in and and/or otherwise correct officer excessive force, including excessive force against children, a pattern that was and is reinforced by a “code of silence” among officers and in the municipalities’ police accountability bureaus (e.g., “OPS”), such that defendant officers’ conduct against plaintiffs in this instance was directly and unofficially encouraged, authorized and emboldened.

24. Finally, the defendant municipalities’ SWAT officers in particular, some of whom participated in the raid on plaintiffs’ home, have *carte blanche* encouragement and license to use excessive force against citizens, including children, with impunity, because the municipality defendants do not properly vet and select SWAT officers; SWAT officers fail to conduct sufficient preplanning and surveillance for vulnerabilities, including the presence of children; SWAT officers cover and conceal their faces and badges when entering people’s homes; and any requirement to wear body worn cameras is not enforced. These policies make it nearly impossible for citizens to identify these officers and file and prove misconduct allegations against them.

25. At all relevant times, the municipality defendants were responsible for providing training to defendant officers on the use of force and the execution of search warrants and maintained official policies and procedures pursuant to which officers were required to conduct themselves.

FACTS RELATING TO ALL COUNTS

***Officers Point Guns at the Children, Handcuff 13-Year-old Eric Worship for 50-60 minutes
and Shoot 12-Year-Old Amir Worship***

26. On May 23, 2019 defendant officers Chambliss and Sergeant Wilson of the Country Club Hills police department obtained search warrant 19 SW 8195 for the person of Mitchell Thurman and the premises of [REDACTED] Officers were looking for “Perks” or prescription codeine, related paraphernalia, records of transactions and cash.

27. At approximately 5:00AM on Sunday, May 26, 2019, three of Ms. Worship’s sons, she and her boyfriend were at home. He sons Amir, Eric and Robert were sleeping soundly in their bedrooms. Ms. Worship and her boyfriend, Mr. Thurman, were in her bedroom.

28. Suddenly, Ms. Worship heard “POLICE, POLICE, POLICE,” and simultaneously she heard two loud booms on the first and second level entry doors (the house is on a hill), and saw blue light reflected throughout inside the house. Officers did not knock and await a response even though they did not have a no-knock search warrant.

29. SWAT officers in army fatigues with black cloth covering their faces and wearing goggles battered open the two doors and deployed between two and five flash-bang grenades, one of which exploded on top of an outside door knob and others that officers tossed inside and that exploded *inside* the house. Ms. Worship heard four or five explosions in all. One explosion left burn marks on the tile floor in the first-floor bathroom. Another exploded near the ceiling in the same bathroom, damaging the ceiling.

30. Officers then entered the house from the first and second level doors simultaneously. Once inside, some stormed up the steps from the first level to the second.

31. Officers did not at any point tell Ms. Worship or anyone in the house that they had a search warrant.

32. Most or all of the officers were wearing body worn cameras (“BWC”).

Officers Handcuff Eric

33. Eric was sound asleep in his older brother Robert’s bedroom on the first floor when officers entered the house. The two boys were sleeping on different sections of an L-shaped couch. After flash-bang grenades exploded, four officers rushed into this room. At least one jumped over the couch. Robert, who is 18, pleaded with officers not to shoot and told Eric to wake up.

34. When Eric opened his eyes, he saw at least two officers pointing their automatic rifles at him from the other side of the couch a few feet away. He saw three officers pointing their automatic rifles in Robert’s face.

35. Officers shouted to Eric, “Turn around, don’t face us.” Eric turned around, put his hands behind his back, and crossed his legs. Robert told Eric to put his hands up in the air, and he did.

36. Officers then placed Eric in handcuffs while he was still seated on the couch, then they pulled him off of the couch, onto the floor, and into the hallway. In the hallway, officers made Eric face the wall, they searched him, and they sat him down on the floor in handcuffs. The handcuffs on 13-year-old Eric were too tight. He later had abrasions.

37. Then Eric heard a scream, which he knew was his brother, Amir.

38. Officers subsequently kept 13-year-old Eric in handcuffs for approximately 50-60 minutes. Next, they placed him in a police car with his brother Robert before taking the two of them and their mother (none of whom were arrested or charged) to the

police station, where they were held and questioned for almost five hours. Eric was detained for approximately 6 hours in total.

Officers Shoot Amir

39. When Amir heard loud noises, he sat up in his bed. His bedroom is located on the second floor. A few seconds later, his bedroom door opened, and an officer aimed a flashlight and an automatic rifle at him and shouted, "Put your hands up." The officer continued to aim his gun at Amir while he walked towards him. The gun pointing directly at Amir's stomach, about two feet away.

40. The officer asked Amir how old he was, and Amir said 12. The officer then grabbed Amir's left arm and pulled him up and off of his bed and told him to sit on his brother's bed, which was directly across from his bed, and to put a shirt on. He then began searching the room, including the closet. This officer was wearing a BWC.

41. A second officer entered Amir's room approximately 30 seconds after the first officer. When he entered, he aimed his automatic rifle directly at Amir for several seconds from about two feet away. This Caucasian officer was stout, medium-to-short in height (i.e., shorter than other officers on the scene) and wore glasses or goggles over brownish eyes.

42. This officer ordered Amir to put his shoes on. He had an angry scowl across his face as he interacted with Amir and moved rapidly with jerking bodily movements, displaying anger while he multi-tasked.

43. Amir started to put on one of his shoes. The officer snatched it away from him while continuing to point his assault rifle at Amir and had a conversation with him about which pair of shoes in the room were his. He examined the shoe with his flashlight.

44. As he searched the shoe, the officer continued to point his rifle at Amir, even though the room had already been cleared and secured minutes earlier, and it was obvious that Amir was a child who was no threat to officers. The officer also did not have his gun on the safety lock position. His left hand was on top of his assault rifle and also held Amir's shoe while he shined his flashlight inside of it. He held the flashlight in his right hand. Then, while handing the shoe back to Amir with his left hand and quickly putting away his flashlight in the upper left of his vest with his right hand, the officer quickly moved his right hand back to the handle and trigger of his rifle, grabbing it and firing it.

45. When the officer shot 12-year-old Amir, he was still sitting still on his brother's bed. The other officer was present in the room. The gun shot was deafeningly loud, Amir started yelling, and he could not hear anything. Amir lay back. He could not bend his right leg. He began to feel tremendous pain. He screamed, "Mom, they shot me," and "I can't move it." It was becoming hard for him to breathe.

46. After the officer shot Amir, he covered his badge with black tape and covered his body camera.

47. Ms. Worship, who was in the adjacent bedroom, heard the sound of the shot that hit her son and heard his screams. She said, "What is that??? There are children in the house!!! Are you *shooting* them???" Officers in her room would not tell her what had just happened.

48. In fact, officers in her room lied to her and told her they shot someone walking past outside. Mr. Thurman, who was with Ms. Worship in her bedroom, said "no, that scream was your baby, Amir."

49. Officers then asked how old Amir is. She told them, "12."

50. Next, Ms. Worship heard Amir yell, "I can't move it."

51. Ms. Worship started to get up to go see what had happened to Amir, but officers grabbed her by the back of the neck, physically stopped and restrained her forward motion, and would not let her go to her son.

52. Ms. Worship then screamed for her sons Amir, Eric and Robert. She asked where her kids were and demanded that officers bring them to her.

53. Officers then admitted, "we don't know who shot him. We were all in the basement. We're not telling you anything." Ms. Worship asked who the officer was who shot Amir. They would not tell her. They eventually told her that an officer shot him below the knee, which was not true.

54. Eventually, ambulance staff carried Amir out of the house in a chair to the ambulance.

55. The officer's bullet penetrated Amir's knee cap, shattered it into fragments, entered his joint, and partially exited the back of his leg on the right side. He had surgery later the same morning. He was hospitalized for four days.

56. According to an orthopedic doctor, the bullet completely shattered Amir's patella or knee cap. Surgeons put it back together the best they could, but fragments of bone are missing. Doctors put a ball and wire inside Amir's joint to hold the joint together. They sewed up the entry wound with 25 stitches. Parts of the bullet are still visible near the exit wound, which still leaks blood and fluid. Additional surgeries may be necessary.

57. A few days later, Amir developed complications from infection and returned to the hospital with fever, chills, blurred vision. He blacked out twice.

58. Amir is now beginning months of intensive physical therapy. According to an orthopedic doctor, Amir will not be able to play any sports again, will have difficulty in physical education, will walk with a limp, and will have difficulty walking and running for the rest of his life.

***Officers' Uses of Force Against and
in the Presence of Amir and Eric Were Totally Unnecessary***

59. None of the plaintiffs or their family members presented any threat, real or apparent, at any time to police officers on the scene. All of them followed officers' instructions. None resisted or fled.

60. Even though they presented no threat, officers repeatedly pointed their rifles and guns at them, actually shot Amir, and handcuffed Eric, and other officers did not intervene to stop them.

61. Moreover, officers knew immediately upon seeing the family that young Amir and Eric posed no threat whatsoever.

62. Amir and Eric have both been harmed by officers' unnecessary pointing of guns at them, by the shooting of Amir, and by the prolonged, unlawful handcuffing and detention of Eric.

Officers' Unnecessary Uses of Force Traumatized Amir and Eric

63. Officers' terrorizing conduct towards Amir and Eric caused them immediate, severe and lasting physical, emotional and psychological distress and injury.

64. Prior to May 26, 2019, Amir and Eric were happy and healthy children, sound in body and mind. The police had never been to their home before. They had suffered no emotional or psychological trauma of any kind in their lives. This changed with defendants' actions on May 26.

65. Prior to May 26, Amir was an active, athletic boy who played basketball and football, both in organized sports through school and pickup games with his friends. He also loved to play outdoors.

66. As a result of officers' conduct on May 26, Amir will never be able to play sports again. This part of his childhood has been taken from him forever. He will never again experience the sheer physical joy of walking or running normally.

67. During the raid, Amir and Eric were shocked and terrified, Amir was writhing in pain, and Royal was in pain from the handcuffs. Based upon what they heard, Amir's mother and brothers knew police shot Amir but for many hours did not know where he had been shot or what his condition was.

68. Ever since the incident, Amir, Eric and Ms. Worship have continued to re-live, in various ways, the trauma of events that day.

69. Immediately following the incident, Amir was in constant pain and shock and was unable to sleep for several days straight. He was screaming from the pain. He was physically shaking and terrified. Later, with the help of sleep medications, he was able to get some sleep beginning at 1:00 or 2:00AM each night.

70. Now, he sleeps an hour or two at a time and wakes up with pain in his leg, an itchy ankle, and strange sensations in his leg. Amir moans out loud during sleep, and his hands and legs visibly tremble when he sleeps. He has to sleep with his leg elevated all the time. He is unable to hold his bladder for long and has to rush to the bathroom.

71. Every single time Amir falls asleep, he has nightmares about what police did to him and about police hurting his brothers.

72. Except for a few bites at each meal, Amir does not eat, even when he initially feels hungry and even when offered ice cream. He used to have a healthy appetite.

73. During the day, Amir remains in a chair. He cannot travel upstairs.

74. Amir now stays indoors all the time. He keeps the blinds drawn. He does not feel like seeing anyone. He has seen only one friend since the incident.

75. Amir's nerves are on high alert, on overdrive. He cannot handle loud noises. They give him flashbacks. He cannot handle being around a group of people. He cannot bear to look at his right knee.

76. Now, whenever Amir sees a police officer or a security guard, his severe anxiety is triggered anew.

77. Eric has also been severely affected. Immediately following the incident, he was unable to sleep knowing that Amir could not sleep. Eric does not sleep much at night and sleeps some during the day. Eric has nightmares about his brother Amir dying. He hears Amir's scream - from when police shot him – over and over in his head.

78. Eric eats more than Amir but only twice per day. He used to eat three times per day and eat a lot at each meal.

79. Amir and Eric continue to experience and exhibit, unabated, these and other signs of severe emotional and psychological trauma and distress.

80. On information and belief, Amir has severe Post-Traumatic Stress Disorder and his brother Eric also has PTSD.

81. Both boys now require high quality, long-term, costly, psychological care and counseling in order to cope with the long-term, psychological injuries caused by defendants' terrorizing and unnecessary display of force against them.

82. Officers' shocking actions of repeatedly pointing and training loaded rifles and pistols at close range on young children, shooting Amir, and handcuffing 13-year-old Eric and detaining him for hours constituted serious abuses of power and authority.

83. Officers' actions – including their inaction in the form of failing to intervene to request that fellow officers stop using excessive force - were directed towards *12 and 13-year-old children*. The children's sensitivity and vulnerability to such trauma-inducing violence was or should have been known to officers.

84. As alleged above, officers' conduct was undertaken pursuant to and is part of a long-standing and widespread pattern and practice by the defendant municipalities of excessive force against and/or in the presence of children.

COUNT I – NEGLIGENCE
(Minor Plaintiff Amir Worship)

85. Plaintiff Amir Worship incorporates paragraphs 1 – 84 above in this count. He asserts this cause of action against all defendants, including presently unknown defedants.

86. At all relevant times, named and currently unknown officers at plaintiff's home on May 26, 2019 had a duty to exercise ordinary and reasonable care and caution for the safety of others, including plaintiff.

87. Despite this duty, one or more named defendant and/or currently unknown officers was/were then and there guilty of one or more of the following negligent acts and/or omissions:

a. He/they carelessly and negligently pointed and continued to point his/their automatic weapon(s) at someone who was obviously a child when there was no threat to the officers and no other justifiable reason to do so;

b. He/they carelessly and negligently failed to move his/their gun(s) to the “safe/ready” position once Amir’s room was cleared and secured, so that the gun would be pointing at the floor at a 45-degree angle, not at the child;

c. He/they carelessly and negligently failed to move his/their gun(s) into the safety lock position once it was clear that the only person in the room was a child, and the room had been cleared and secured;

d. He/they carelessly and negligently attempted to perform too many tasks at once while simultaneously pointing his weapon at someone who was obviously a child;

e. He/they carelessly and negligently allowed himself to be or remain in an agitated and/or angry state while simultaneously pointing his weapon at someone who was obviously a child;

f. He/they carelessly and negligently allowed his body and/or his weapon to move in such a way that it discharged and caused injury to plaintiff; and

g. He/they was/were otherwise careless and negligent in a way that caused injury to plaintiff.

88. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of named and/or unknown defendants, plaintiff has sustained serious and permanent injuries, including but not limited to a shattered knee cap and Post-Traumatic Stress Disorder, all of which have caused plaintiff suffer pain and suffering, permanent injury and disability, severe emotional distress, substantial medical bills, and an ability to carry out his activities of daily living.

89. Plaintiff has undergone surgery and has otherwise received and will yet receive substantial medical care from multiple surgeons, physicians and specialists.

COUNT II – WILLFUL AND WANTON CONDUCT
(Minor Plaintiff Amir Worship)

90. Plaintiff incorporates paragraphs 1 – 84 above in this count. He asserts this cause of action against all defendants, including presently unknown defendants.

91. At all relevant times, named and/or currently unknown officers at plaintiff's home on May 26, 2019 had a duty to act in a manner free from willful and wanton conduct.

92. Named and/or currently unknown officers breached that duty by committing one or more of the aforementioned acts in a willful and wanton manner.

93. As a direct and proximate result of one or more of the aforementioned acts committed by named defendant and/or currently unknown officers, plaintiff has sustained and will continue to sustain serious and permanent injuries, including but not limited to a shattered knee cap, pain and suffering, permanent disability, severe emotional distress, and other injuries, all of which have caused plaintiff to incur substantial medical bills and have had a dramatic impact on his ability to carry out activities of daily living.

94. Plaintiff has undergone surgery and has otherwise received substantial medical care from multiple surgeons, physicians and specialists.

COUNT III – ASSAULT – STATE LAW
(Minor Plaintiffs Amir Worship and Eric Worship)

95. Plaintiffs incorporate paragraphs 1 – 84 above in this count. They assert this cause of action against all defendants.

96. The actions of defendants set forth above, including pointing guns at close range at children, created reasonable apprehensions in plaintiffs of immediate harmful contact to plaintiffs' persons.

97. The officers intended to bring about apprehensions of immediate harmful contact in plaintiffs or knew that their actions would bring about such apprehensions.

98. In the alternative, the conduct of defendants was willful and wanton and constituted a course of action which shows an actual or deliberate intention to cause harm or which, if not intentional, shows an utter indifference to or conscious disregard for the safety of others and/or their property.

99. The conduct of defendant SWAT officers in entering a residence with exploding flash-grenades near children, pointing automatic rifles at children and using other displays of deadly force to execute a residential search warrant are generally associated with a risk of serious injuries. Numerous prior injuries have occurred to civilians in this context. Officers failed to take reasonable precautions after having knowledge of impending danger to plaintiffs.

100. The defendants' actions were the direct and proximate cause of plaintiffs' apprehensions.

101. Plaintiffs have been seriously harmed by defendants' actions.

COUNT IV – BATTERY – STATE LAW
(Minor Plaintiffs Amir Worship and Eric Worship)

102. Plaintiffs re-allege and incorporate paragraphs 1 – 84 above into this count. They assert this claim against all defendants.

103. The actions of defendant officers set forth above, including but not limited to unjustifiably shooting a harmless 12-year-old and handcuffing a harmless 8-year-old for 50-60 minutes brought about harmful and offensive physical contacts to plaintiffs' persons.

104. The officers intended to bring about harmful and offensive physical contact to plaintiffs' persons. When he discharged his weapon, the officer who shot Amir was

pointing his gun directly at him, did not have his gun on safety, and was angry. Defendants intended to handcuff Eric.

105. In the alternative, the conduct of defendants was willful and wanton and constituted a course of action which shows an actual or deliberate intention to cause harm or which, if not intentional, shows an utter indifference to or conscious disregard for the safety of others and/or their property.

106. The conduct of defendant SWAT officers in entering a residence with exploding flash-grenades near children, pointing automatic rifles at children and using other displays of deadly force to execute a residential search warrant are generally associated with a risk of serious injuries. Numerous prior injuries have occurred to civilians in this context. Officers failed to take reasonable precautions after having knowledge of impending danger to plaintiffs.

107. The officers' actions were the direct and proximate cause of harmful and offensive physical contact to plaintiffs' persons.

108. Plaintiffs have been seriously harmed by officers' actions.

COUNT V – FALSE ARREST AND FALSE IMPRISONMENT– STATE LAW
(Minor Plaintiff Eric Worship and Crystal Worship)

109. Plaintiffs Eric and Crystal Worship re-allege paragraphs 1 – 84 above and incorporate them into this count. They assert this claim against all defendants, named as well as currently unknown.

110. Officers arrested and imprisoned 13-year-old Eric Worship when, without a warrant for his arrest and without probable cause to arrest him, they (a) handcuffed and confined him for approximately 50-60 minutes; and (b) detained and questioned him at the police station without charges for approximately five hours – all in spite of the facts that he was a child

who posed no threat, was not a suspect or a the target of the warrant, did not remotely resemble the target, and there was no other lawful reason to confine him in this manner or for this long.

111. Officers also falsely arrested and/or confined Crystal Worship, where, even though they did not formally arrest or charge her, they refused to allow her to go in the ambulance to the hospital with her son Amir and instead compelled her to come to the police station where she was detained and questioned for approximately five hours, even though she was not a suspect or a the target of the warrant, did not remotely resemble the target, and there was no other lawful reason to confine her in this manner.

112. Officers' actions restrained plaintiffs and confined them to bounded areas.

113. Officers intended to restrain and confine plaintiffs to bounded areas within and outside of their home.

114. In the alternative, the conduct of defendants was willful and wanton and constituted a course of action which shows an actual or deliberate intention to cause harm or which, if not intentional, shows an utter indifference to or conscious disregard for the safety of others and/or their property.

115. The conduct of defendant SWAT officers in entering a residence with exploding flash-grenades, automatic rifles and other displays of deadly force to execute a residential search warrant are generally associated with a risk of serious injuries. Numerous prior injuries have occurred to civilians in this context. Officers failed to take reasonable precautions after having knowledge of impending danger to plaintiff.

116. Officers' actions caused the restraint and confinement of plaintiffs to bounded areas within and outside of their residence.

117. Plaintiff were harmed by officers' actions in restraining and confining them, as detailed above.

**COUNT VI – NEGLIGENT OR INTENTIONAL INFLICTION
OF EMOTIONAL DISTRESS – STATE LAW
(All Plaintiffs)**

118. All Plaintiffs re-allege and incorporate paragraphs 1 – 84 above in this count and assert this claim against all defendants, named and unknown.

119. The actions, omissions and conduct of defendants set forth above were extreme and outrageous and exceeded all bounds of human decency.

120. Officers' actions, omissions and conduct above were undertaken with the intent to inflict and cause severe emotional distress to plaintiffs, with the knowledge of the high probability that their conduct would cause such distress, or in reckless disregard of the probability that their actions would cause such distress.

121. Officers, who occupied positions of special trust and authority, knew, had reason to know or believed that plaintiffs, who were young children, were especially vulnerable and fragile to the display and use of deadly force against them.

122. As a direct and proximate result of officers' extreme and outrageous conduct towards children, plaintiffs suffered and continue to suffer long-term, severe emotional distress and trauma resulting from officers use of excessive force against them.

123. In the alternative, defendants owed plaintiffs a duty of care that they breached when they pointed guns at them, shot Amir, handcuffed 13-year-old Eric, placed Eric in a police car by himself, refused to allow Ms. Worship to go to the hospital with her son, and detained plaintiffs at the police station for several hours. Plaintiffs are direct victims of officers' intentional infliction of emotional distress.

124. In the alternative again, the conduct of defendants was willful and wanton and constituted a course of action which shows an actual or deliberate intention to cause harm or which, if not intentional, shows an utter indifference to or conscious disregard for the safety of others and/or their property.

125. The conduct of defendant SWAT officers in entering a residence with children by using exploding flash-grenades, automatic rifles and other displays of deadly force to execute a residential search warrant are generally associated with a risk of serious injuries. Numerous prior injuries have occurred to civilians in this context. Officers failed to take reasonable precautions after having knowledge of impending danger to plaintiffs.

126. Officers' negligent and/or intentional conduct toward plaintiffs was a proximate cause of plaintiffs' injuries and their extreme, severe, long-term emotional distress and trauma.

VII – RESPONDEAT SUPERIOR – STATE LAW
(All Plaintiffs)

127. Plaintiffs re-allege paragraphs 1-126 above and incorporate them into this count. All plaintiffs assert this claim against the municipality defendants.

128. In committing the acts and omissions alleged above, defendant officers were at all times members and agents of one or more of the municipality defendants and were acting within the scope of their employment.

129. The municipality defendants are, therefore, liable as principals for all common law torts committed by their agents within the scope of their employment.

COUNT VIII – INDEMNIFICATION – STATE LAW
(All Plaintiffs)

130. Plaintiffs re-allege and incorporate paragraphs 1-126 above. Plaintiffs assert this count against the municipality defendants.

131. Illinois law, 745 ILCS 10/9-102, directs public entities to pay any common law tort judgment for compensatory damages for which employees are held liable within the scope of their employment activities.

132. Defendant officers were and are employees of one or more of the municipality defendants, and they acted within the scope of their employment when committing the actions and omissions detailed above.

PRAYER FOR RELIEF (ALL COUNTS)

WHEREFORE, plaintiffs respectfully request that the Court enter judgment in their favor and against each defendant on each count for:

- a. Compensatory damages in excess of \$50,000; and
- b. Such other or further relief as the Court deems just.

Respectfully submitted,

s/Al Hofeld, Jr.
Al Hofeld, Jr.

Al Hofeld, Jr.
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JURY DEMAND

Plaintiffs demand trial by jury.

s/Al Hofeld, Jr.
Al Hofeld, Jr.

NOTICE OF LIEN

Please be advised that we claim a lien upon any recovery herein for 1/3 or such amount as a court awards.

s/Al Hofeld, Jr.
Al Hofeld, Jr.

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